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ABSTRACT

This paper describes the National State Policy Database (NSPD), a full-text searchable database of state and federal education regulations for special education. It summarizes the history of the NSPD and reports on a survey of state directors or their designees as to their use of the database and their suggestions for its future expansion. The history of NSPD is recounted from its origins in 1990 through its development and availability on the Internet since 1998. It notes that the NSPD currently contains the special regulations for 49 states and the Department of Defense schools, as well as the 1997 federal regulations for the Individuals with Disabilities Education Act. Survey interviews with 36 state directors and staff found that 25 states were using the NSPD, that 22 of these indicated no problems with its use, and that commonly reported uses included providing a perspective on what other states are doing; helping with policy development and revision; and allowing examination of specific policy issues in depth. Interviewees also suggested additions to the NSPD and offered suggestions for updating the NSPD. Nonusers of the database indicated this is because they were not aware of it, the database does not fit their needs, or they have difficulty accessing information. (DB)

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The National State Policy Database · Quick Turn Around (QTA)

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April 2003

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Quick Turn Around

Project FORUM

QTA – A brief analysis of a critical issue in special education

The National State Policy Database

April 2003

by Eileen Ahearn & Terry Jackson

Introduction

Project FORUM at the National Association of State Directors of Education (NASDSE), along with the Federal and Regional Resource Centers, developed the National State Policy Database (NSPD). FORUM and the Centers are part of the U.S. Department of Education's Office of Special Education Programs (OSEP) Special Education Technical Assistance and Dissemination Network.

The NSPD is a full text searchable database of state and federal education regulations for special education. Currently, it is universally available through the Internet and its development illustrates the dramatic changes in information management and electronic access that have taken place in the last decade. This QTA summarizes the history of the NSPD and reports on a survey of state directors or their designees as to their use of the database and their suggestions for its future expansion.

Work for this QTA was part of Project FORUM's Cooperative Agreement with OSEP.

History and Current Status

The blueprint for the NSPD began to take shape in 1990 when Project FORUM proposed to develop a database that would catalog the extensive paper files maintained by FORUM for staff to use in the policy research and analysis tasks they performed for OSEP and state education agencies (SEAs). Further informal review and planning led to discussions about a database that would contain the full text of state regulations. NASDSE was acquiring computer capacity at the time and a consultant was hired to do a feasibility study on the development of such a database.

In October 1991, the consultant submitted a report that outlined three approaches ranging from simple to complex. The consultant recommended that both a long- and short-term plan be developed with further exploration of the fiscal and staff implications for development and management of the database.

The next phase of development involved work with a contractor to assist FORUM staff in the development of a pilot test that included design of the database, selection and installation of necessary software, planning for data entry and evaluation of the pilot system for full implementation of the database. By March 1993, new software was purchased and added to the computer of one of the FORUM staff. Ten states provided electronic copies of their special education regulations and pilot testing was carried out. During the pilot, many demonstrations of the State Policy Database (SPD) were provided and FORUM staff developed materi-

als related to the use of the new resource. The results of the pilot testing were uniformly positive and the decision was made to move to full implementation of the database at NASDSE.

Many technical problems and challenges were encountered as the database grew in size due to the rapid changes occurring in both hardware and software during this developmental period. The database software was loaded on one computer at NASDSE and FORUM staff performed searches as requested by SEA and OSEP staff and others. Throughout this period, a variety of options were studied that would allow users outside of NASDSE to conduct their own database searchers. FORUM worked closely with the Regional Resource Centers Network (RRCs) in pursuing these options.

In 1996, Project FORUM held a meeting with the Information Specialists from all the RRCs to discuss these options. Plans were made for FORUM to work closely with the RRCs in developing a solution. The importance of broader availability of the SPD became apparent during the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA). States were faced with the need to revise their regulations to conform to changes in the federal law and access to other states' regulations would facilitate that task.

Throughout 1997, many discussions concerning the fate of the SPD were held with OSEP, NASDSE, the RRCs and some state directors. It was clearly understood that the SPD would be a valuable resource only if it could be regularly updated and effectively maintained. The RRC Directors approved a plan for their Information Specialists to work with FORUM staff in the completion and maintenance of the database. The Great Lakes RRC and NASDSE provided funds that supported the addition of the SPD to the GLARRC website, making the now-renamed National State Policy Database (NSPD) available through the Internet. In January 1998, a joint announcement from GLARRC and NASDSE of the NSPD's debut on the web was sent to all state directors of special education.

At this present time, the NSPD contains the special education regulations for 49 states and the Department of Defense schools, as well as the 1997 federal IDEA regulations. Efforts are still underway to obtain regulations from the Bureau of Indian Affairs and the U.S. jurisdictions that are subject to IDEA. Project FORUM staff continue to work closely with the RRC Information Retrieval and Dissemination (IRD) Group[1] whose members regularly contact their states to check for any changes in regulations. FORUM and RRC staff, as well as university researchers and others concerned with special education policy issues, use the database often.

Methodology

An interview protocol was developed by Project FORUM to gain a better understanding of how the NSPD is used and the challenges state directors and their staff have encountered in using it. Twenty-four interviews were completed with state directors during the November 2002 NASDSE Annual Meeting in Portland, Oregon and 12 more state directors or their designees were interviewed by telephone December 2002 through February 2003. Feedback was obtained from a total of 36 states.

[1] The IRD Group is composed mainly of the six RRC Information Specialists who manage all special education requests from states and other RRC staff.

Survey Findings

Usage of the NSPD

Twenty-five of the 36 interviewees stated that they and/or their staff use the NSPD, while 11 stated they have not. Of the 11 interviewees who had not used the NSPD, five were aware of it. Following a brief description of the NSPD for the 11 who had not used it, six responded to a question about its potential usefulness: three said it could be useful, two said it could *possibly* be useful and one said it would not be useful. Two of the 11 interviewees who had not used the NSPD want more information about how it can be used.

When interviewees were asked if they had encountered problems using the NSPD, 22 indicated that they had not, while three of those interviewed had encountered problems. Several comments were noted: one respondent found the database too hard to use; another said it is sometimes out-of-date; and a third replied that because regulations are state-driven, having access to other states' regulations would not be useful.

Reasons for Using the NSPD

Twenty-eight respondents provided information about why they *would* use the NSPD, including three who had not used the database. The most common response was that it gives them a perspective on what other states are doing (14 states). The next most common reason for usage was for policy development and revision (7 states), followed by examination of specific policy issues in depth (4 states).

Of the 25 respondents who have been using the NSPD, some provided feedback on how the database has actually helped them. Specific examples include:

- It allows us to assess the national landscape.
- It helps to support arguments when evaluating proposed legislation.
- It allows us to track policy trends to help determine if our state is on track.

Additions to the NSPD

When interviewees were asked what additional information they would like to see on the NSPD, the suggestions they made were as follows:

- other special education policy documents (9 states);
- technical assistance documents and procedural manuals/handbooks (8 states);
- other (non-special education) state rules and regulations (5 states);
- State Improvement Plans (3 states);
- funding formulas or general information regarding funding (3 states);
- paperwork reduction proposals (2 states);
- OSEP letters of interpretation (2 states); and
- topical information on key issues such as assessment, performance goals and indicators (2 states).

Lastly, one state responded that the addition of federal laws would not be helpful, and another interviewee said that the NSPD should be limited to special education issues.

Updating the NSPD

When asked if there are issues/concerns about keeping the NSPD updated, 16 respondents said no and nine said yes. Comments regarding this issue included:

- It is difficult to alert the NSPD to changes and it would be helpful to have an automatic reminder.

- It would be helpful to put the RRC on a state official mailing list to receive notification when laws or regulations change.
- The excessive workload of existing staff makes timely updates a problem.
- Finding the time to meet with attorneys to get approval for release of regulations adds an extra step to the process.

Other Concerns/Challenges

Additional feedback that interviewees provided about the concerns/challenges of the NSPD were:

- The lack of formatting standards for state policy means policy formats are not necessarily comparable across states.
- It is easier to talk to someone in another state directly than search a database for information.

Summary and Concluding Remarks

Of the 36 states involved in this study, only 25 state directors of special education or a designee said they and/or their staff actually use the NSPD. Eleven respondents are not utilizing this resource and information was not available from the other 14 states. Of the respondents who use the NSPD, the most common reason is to obtain information on other states' policies for the purpose of policy development and revision.

State directors and their staff who do not utilize the NSPD indicated it is because they are not aware of it, the database does not fit their needs or they have difficulty accessing information. The high turnover rate of state directors (approximately 10 per year) makes it difficult to provide an orientation for new state directors in a timely manner.

The survey also enabled Project FORUM to obtain specific suggestions for additional information states would like to see on the database, and to better understand the problems some states have with maintaining and obtaining up-to-date material for the database.

The feedback that Project FORUM received on the NSPD will be shared with the IRD Group that assists with tasks related to maintenance of the database. The feedback will also be used in planning future changes. It is necessary to examine how to make more state directors and their staff aware of the NSPD and how to provide relevant and up-to-date information. The steps necessary to achieve this will be an integral part of future discussions on the viability and effectiveness of NSPD. After the upcoming reauthorization of IDEA, it is anticipated that this database will be accessed at increasing levels, making up-to-date information and accessibility critical.

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